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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,712	06/25/2001	Glenn R. Engel	10003416-1	1807

7590 09/08/2004
AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

PATEL, NIKETA I

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/891,712	Applicant(s) ENGEL ET AL.	
	Examiner Niketa I. Patel	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 7, 10-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Emens et al. U.S. Patent Number: 6,463,343 (hereinafter referred to as "*Emens*".)

4. **Referring to claim 1**, a method for configuring a network device, comprising the steps of: generating a set of network configuration parameters for the network device [see figure 1, element 120] under control of a configuration server [see figure 1, element 104, 100 and column 4 - lines 16-47]; transferring the network configuration parameters to the network device via a

Art Unit: 2182

local network of the network device [see column 4 - lines 16-47.]

5. **Referring to claim 7**, *Emens* teaches a system for configuring a network device, comprising: configuration server coupled to a communication network [see figure 1, element 104, 100 column 3, lines 15-31]; node coupled to a local network see figure 1, element 102] of the network device, the node having means for generating a set of network configuration parameters for the network device [see figure 1, element 120] under control of the configuration server [see column 4 - lines 16-47.]

6. **Referring to claim 10**, *Emens* teaches wherein the means for generating a set of network configuration parameters include means for executing a remote configuration applet that notifies the configuration server of the network device [see column 4, lines 16-27, 34-47.]

7. **Referring to claim 11**, *Emens* teaches wherein the means for generating a set of network configuration parameters include means for executing a remote configuration applet that relays the network configuration parameters to the network device [see column 4, lines 16-27.]

8. **Referring to claim 12**, *Emens* teaches wherein the means for generating a set of network configuration parameters include means for executing a web browser application that enables a

Art Unit: 2182

user to access a set of web pages generated by the configuration server for entering the network configuration parameters [see column 4, lines 16-27, 34-47.]

9. **Referring to claim 14**, *Emens* teaches further comprising a proxy server that enables communication between the communication network and the local network [see figure 1, element 104.]

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2-6, 8-9, 13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Emens et al.* U.S. Patent Number: 6,463,343 (hereinafter referred to as "*Emens*".)

12. **Referring to claim 2**, *Emens* teaches a system for configuring a network device [see column 3, lines 15-31] however

Art Unit: 2182

does not set forth the limitation of comprising the step of searching the local network for the network device.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to identifying each of the devices that are connected to a network by searching the devices connected to the network in order to determine proper network topology. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include an applet that searches the network for the devices to get this advantage.

13. **Referring to claim 3**, *Emens* teaches generating a set of web pages that enable a user to enter the network configuration parameters [see column 4 - lines 16-47] however does not set forth the limitation of wherein the step of generating a set of network configuration parameters notifying the configuration server of the network device found.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to notify a configuration server of devices that are attached there to, in order to be able to download appropriate software from the sever to allow proper function of the devices.

Art Unit: 2182

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to notifying the configuration server of the network device found to get this advantage.

14. **Referring to claim 4, 5, 6**, wherein the web pages enable the user to enter an address for the network device, the proxy server, and the configuration server [see column - lines.] however dose not set forth the limitation wherein the web pages enable the user to enter an address for the network device, the proxy server, and the configuration server.

It would have been obvious to one or ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to allow a user to communicate with a device networked to the user by enabling a user to enter an address for the device and various intermediate devices that may be connected in between the user and the device. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to enable the user to enter an address for the network device, the proxy server, and the configuration server to get this advantage.

15. **Referring to claim 8**, *Emens* teaches wherein the means for generating a set of network configuration parameters include

Art Unit: 2182

means for executing a remote configuration applet that identifies devices connected to the network [see column 4, lines 16-27, 34-47] however does not set forth the limitation of an applet that searches the local network for the device.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to identifying each of the devices that are connected to a network by searching the devices connected to the network in order to determine proper network topology. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include an applet that searches the network for the devices to get this advantage.

16. **Referring to claim 9**, teachings of *Emens* as modified above, teaches a system for configuring a network device [see column 3, lines 15-31] however dose not set forth the limitation wherein the remote configuration applet searches by transferring a multi-cast query message via the local network and detecting responses.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to search using multi-cast query message in order to allow

Art Unit: 2182

a user to search only the desired cluster of devices in a given network. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include multi-cast query message to get this advantage.

17. **Referring to claims 13, 15 and 16, *Emens*** teaches wherein the means for generating a set of network configuration parameters include means for executing a remote configuration web pages that identifies devices connected to the network [see column 4, lines 16-27, 34-47] however dose not set forth the limitation wherein the web pages enable the user to enter an address for the network device, the proxy server, and the configuration server.

It would have been obvious to one or ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to allow a user to communicate with a device networked to the user by enabling a user to enter an address for the device and various intermediate devices that may be connected in between the user and the device. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to enable the user to enter an address for the network device, the proxy server, and the configuration server to get this advantage.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents have been made record of to further show the state of the art as it pertains to allowing a user to manage, configure, monitor and provide an applet to search for networked devices:

DeKoning et al. U.S. Patent Number: 6,769,022

Slater et al. U.S. Patent Number: 6,654,796

Amini et al. U.S. Patent Number: 6,698,021

Kobata et al. U.S. Patent Number: 6,591,367

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

The above listed phone numbers of the examiner Niketa I. Patel and the examiner's supervisor, Jeffrey A. Gaffin are effective until October 12, 2004. After October 12, 2004 Niketa

Art Unit: 2182

I. Patel can be reached at (571) 272-4156 and Jeffrey A. Gaffin can be reached at (571) 272-4146.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP
09/03/2004


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100